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UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

CENTER FOR BIOLOGICAL DIVERSITY,	)	No. 4:19-cv-02843-PJH
et al.,	)	
	)	
Plaintiffs,	)	<b>STIPULATION AND</b>
	)	<b>[PROPOSED] ORDER TO</b>
v.	)	<b>MODIFY CASE</b>
	)	<b>MANAGEMENT DEADLINES</b>
DAVID BERNHARDT, in his official	)	
capacity as Secretary of the United	)	
States Department of the Interior, et al.,	)	
	)	
Defendants.	)	
_____	)	

Pursuant to Local Civil Rules 6-1, 6-2, 7-12, and 16-2, Defendants, David Bernhardt, in his official capacity as Secretary of the United States Department of the Interior, and Aurelia Skipwith, in her official capacity as Director of the U.S. Fish and Wildlife Service (“Service”)<sup>1</sup>, and Plaintiffs, the Center for Biological Diversity (“Center”) and San Francisco Baykeeper

<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Aurelia Skipwith is substituted for Margaret Everson.

(collectively, the “Parties”) jointly stipulate, subject to the Court’s approval, to a modification of the case management deadlines set on January 2, 2020 (ECF No. 25):

1. WHEREAS, on May 23, 2019, Plaintiffs filed their Complaint, alleging violations of the Endangered Species Act, 16 U.S.C. §§ 1533-1544 *et seq.*, and the Administrative Procedure Act, 5 U.S.C. § 706(1). ECF No. 1;
2. WHEREAS, on July 31, 2019, Defendants moved unopposed for an extension of time to file their answer to Plaintiffs’ Complaint until August 30, 2019. ECF No. 15. The Court granted Defendants’ motion the same day. ECF No. 16;
3. WHEREAS, Defendants filed their answer on August 29, 2019. ECF No. 21;
4. WHEREAS, on September 3, 2019, Defendants moved unopposed to stay proceedings in the case until October 31, 2019, after the Parties reached an agreement-in-principle to resolve Plaintiffs’ claims without the Court’s further involvement. ECF No. 22. The Court granted Defendants’ motion the following day. ECF No. 23;
5. WHEREAS, the Parties have been working diligently to memorialize their agreement-in-principle. The Parties have recently completed that process. However, the Parties now require additional time to obtain the necessary authorizations to file the agreement with the Court. A short extension of the current case management deadlines will allow the Parties to accomplish this.

NOW, THEREFORE, the Parties propose and stipulate to an extension of the current case management deadlines as follows:

1. The deadline for the Parties to submit a Joint Case Management Statement is due no later than February 20, 2020.
2. The Initial Case Management Conference is rescheduled for Thursday, March 19, 2020, at 2:00pm.

Dated: February 5, 2020

Respectfully submitted,

/s/ Amy R. Atwood

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*Attorneys for Defendants*

**[PROPOSED] ORDER**

The stipulation to modify case management deadlines is approved and all Parties shall comply with its provisions.

IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2020

By: \_\_\_\_\_  
THE HONORABLE PHYLLIS J. HAMILTON  
UNITED STATES DISTRICT JUDGE

**ATTESTATION OF CONCURRENCE**

In accordance with Civil Local Rule 5-1(i)(3), I hereby attest that I obtained concurrence in the filing for the signatures of all counsel indicated by a conformed signature (“/s/”) within this e-filed document.

/s/ Davis A. Backer  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 5, 2020, I electronically filed the foregoing Stipulated Settlement Agreement with the Clerk of the Court using the CM/ECF system, which will send notification of this filing to the attorneys of record.

/s/ Davis A. Backer  
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